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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY  
PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR

MDL No. 3047

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This Document Relates to:  
*H.D. filed on behalf of minor J.D. v. Meta  
Platforms, Inc., et al., 4:23-cv-01425;*  
  
*Jeffrey Barnes, filed on behalf of minor A.B.  
v. Meta Platforms, Inc., et al., 4:23-cv-  
01422;*  
  
*Richard Neal Booker, individually and on  
behalf of their minor child S.B. v. Meta*

**PLAINTIFFS' SECOND  
CONSOLIDATED EX PARTE  
APPLICATION FOR APPOINTMENT  
OF GUARDIANS AD LITEM**

1 *Platforms, Inc., et al.*, 4:23-cv-01537;

2 *C. G. filed on behalf of minor A.G. v. Meta*  
3 *Platforms, Inc., et al.*, 4:23-cv-01568;

4 *N.K. filed on behalf of minor S.K. v. Meta*  
5 *Platforms, Inc., et al.*, 4:23-cv-01584;

6 *M.M., filed on behalf of minor B.M. v. Meta*  
7 *Platforms, Inc., et al.*, 4:23-cv-01615;

8 *C.S., filed on behalf of minor J.S. v. Meta*  
9 *Platforms, Inc., et al.*, 4:23-cv-01569;

10 *S.S. filed on behalf of minor M.S. v. Meta*  
11 *Platforms, Inc., et al.*, 4:23-cv-02024;

12 *K.C. filed on behalf of minor M.C. v. Meta*  
13 *Platforms, Inc., et al.*, 4:23-cv-01465

## 14 SECOND CONSOLIDATED APPLICATION

15 Pursuant to this Court’s Order Regarding Appointments of Guardians *Ad Litem*  
16 (“Guardians *Ad Litem* Order”), Plaintiffs’ Liaison Counsel, Jennie Lee Anderson, hereby submits  
17 a Consolidated *Ex Parte* Application for Appointment of Guardians *Ad Litem* (“Consolidated *Ex*  
18 *Parte* Application”) for this Court’s consideration. ECF No. 122 at 3.

19 “Fit parents are presumed to act in the best interests of their children.” *J.B. by &*  
20 *Through Billiet v. Tuolumne Cnty. Superintendent of Sch.*, No. 19-cv-0858-NONE-EPG, 2021  
21 WL 3115195, at \*2 (E.D. Cal. July 22, 2021) (citing *Troxel v. Granville*, 530 U.S. 57, 66 (2000);  
22 *Doe v. Heck*, 327 F.3d 492, 521 (7th Cir. 2003)); *see also Brown v. Alexander*, No. 13-cv-01451-  
23 RS, 2015 WL 7350183, at \*1 (N.D. Cal. Nov. 20, 2015) (“In general, a parent who is also a party  
24 to the lawsuit is presumed to be a suitable guardian ad litem, and so the court often appoints the  
25 parent as guardian ad litem upon receipt of an ex parte application without exercising much  
26 discretion.”) (citation omitted). Absent a conflict of interest, “[a] parent is generally appointed  
27 guardian *ad litem*.” *A.G. v. South Bay Dreams Coop., Inc.*, No. 16-cv-02598-RNB, 2018 WL  
28 2002370, at \*3 (S.D. Cal. Apr. 30, 2018) (citing *Anthem Life Ins. Co. v. Olguin*, No. 06-cv-  
01165-AWI NEW (TAG), 2007 WL 1390672, at \*3 (E.D. Cal. May 9, 2007)); *accord J.M. v.*

1 *Liberty Union High Sch. Dist.*, No. 16-cv-05225-LB, 2016 WL 4942999, at \*2 (N.D. Cal.  
 2 Sept.16, 2016). However, “[w]hen there is a potential conflict between a perceived parental  
 3 responsibility and an obligation to assist the court in achieving a just and speedy determination of  
 4 the action, a court has the right to select a guardian ad litem who is not a parent if that guardian  
 5 would best protect the child’s interests.” *J.M.*, 2016 WL 4942999, at \*1 (citations omitted)  
 6 (internal quotation marks omitted).

7 Attached as Exhibits 1 to 9 to the Declaration of Jennie Lee Anderson in Support of  
 8 Plaintiffs’ Second Consolidated *Ex Parte* Application (“Anderson Decl.” or “Anderson  
 9 Declaration”) are *Ex Parte* Applications for Appointment of Guardian *Ad Litem* (“Applications”) submitted by the parents and/or legal guardians of individual minor Plaintiffs in the following cases:

- 11 • *H.D. filed on behalf of minor J.D. v. Meta Platforms, Inc., et al.*, 4:23-cv-01425  
 12 (Exhibit 1);
- 13 • *Jeffrey Barnes, filed on behalf of minor A.B. v. Meta Platforms, Inc., et al.*, 4:23-cv-  
 14 01422 (Exhibit 2);
- 15 • *Richard Neal Booker, individually and on behalf of their minor child S.B. v. Meta*  
 16 *Platforms, Inc., et al.*, 4:23-cv-01537 (Exhibit 3);
- 17 • *C. G. filed on behalf of minor A.G. v. Meta Platforms, Inc., et al.*, 4:23-cv-01568  
 18 (Exhibit 4);
- 19 • *N.K. filed on behalf of minor S.K. v. Meta Platforms, Inc., et al.*, 4:23-cv-01584  
 20 (Exhibit 5);
- 21 • *M.M. filed on behalf of minor B.M. v. Meta Platforms, Inc., et al.*, 4:23-cv-01615  
 22 (Exhibit 6);
- 23 • *C.S., filed on behalf of minor J.S. v. Meta Platforms, Inc., et al.*, 4:23-cv-01569  
 24 (Exhibit 7);
- 25 • *S.S. filed on behalf of minor M.S. v. Meta Platforms, Inc., et al.*, 4:23-cv-02024  
 26 (Exhibit 8); and
- 27 • *K.C. filed on behalf of minor M.C. v. Meta Platforms, Inc., et al.*, 4:23-cv-01465  
 28 (Exhibit 9).

1 The Applications attached to the Anderson Declaration as Exhibits 1 to 9 are consistent  
 2 with Attachment A to this Court's Guardians *Ad Litem* Order (ECF No. 122) and include (1) the  
 3 applicant's name and contact information (including address, email, and telephone number); (2)  
 4 the name, case number, state of domicile (and its minimum age of capacity); (3) a sworn  
 5 statement that the applicant is the parent and/or legal guardian of the minor plaintiff; and (4) a  
 6 sworn statement affirming that the applicant is fully competent and qualified to understand and  
 7 protect the rights of the minor plaintiff and has no interests adverse to the interests of that person.  
 8 Anderson Decl. ¶ 12.

9 Pursuant to this Court's Guardians *Ad Litem* Order, the Applications by parents and/or  
 10 legal guardians in the cases listed above are deemed presumptively approved upon filing, as there  
 11 is no apparent conflict between the applicants' parental responsibility and their obligation to assist  
 12 the Court in "achieving a just and speedy determination of the action." ECF No. 122 ¶ 4 (citing  
 13 *J.M.*, 2016 WL 494299, at \*1). This Court also ordered that, absent the filing of an objection, the  
 14 presumptive approval shall become final fifteen days after the date this Consolidated *Ex Parte*  
 15 Application is filed. ECF No. 122 ¶ 5. Therefore, the objection period will close on May 11,  
 16 2023. Accordingly, Plaintiffs submit herewith a [Proposed] Order Granting *Ex Parte*  
 17 Applications and Appointing Guardians *Ad Litem* appointing the parents and/or legal guardians  
 18 named in the Applications submitted in the cases listed above.

19 Dated: April 26, 2023

Respectfully submitted,

20 /s/ Jennie Lee Anderson

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